

SENATE RESOURCES COMMITTEE
SENATE NO. 3
DATE 1-17-07
BILL NO. SB 180

Testimony of Golden Sunlight Mines
Opposing
SB 180
Before the Senate Natural Resources and Energy Committee
January 17, 2007

Golden Sunlight Mines (GSM) thanks the Department of Environmental Quality (DEQ) for its efforts in 2006 to negotiate with all interested parties to reach a common understanding on an acceptable bill. Unfortunately, those discussions ceased before that result was reached. SB 180 was then prepared by the DEQ.

SB 180 as introduced needs further amendment. On behalf of GSM, I would like to identify and propose 3 of those necessary amendments:

- 1) Page 11, subsection 6: Delete subsection 6 (b) which requires a 50% cushion increase in the bond for water treatment.

The bond calculation method used by the DEQ already includes a contingency amount. This arbitrary and excessive contingency is not necessary.

- 2) Page 12, subsection 7 (d) (ii): change 3 years to 2 years.

The nature of interim is that it is temporary. The DEQ and permittees need to timely complete the necessary reclamation plans to adopt permanent performance bonds. 2 years under an interim bond will force that result.

- 3) Page 13, New Section 4. Savings clause. Add this phrase to the sentence: "or any subsequent proceeding or court judgment on the same subject at the same facility."

The sentence would then read: "This act does not affect proceedings pursuant to 82-4-337(3) that were begun before January 1, 2007, and that were required by a court judgment, or any subsequent proceeding or court judgment on the same subject at the same mine facility."

Since 1992 GSM has been embroiled in a series of lawsuits and proceedings brought or caused by several plaintiffs against the DEQ over whether the law requires the pit at the GSM to be backfilled. GSM recommends and proposes this addition to apply if there is a new administrative proceeding or if a new lawsuit is filed related to backfill of the pit at the Golden Sunlight Mine.

Absent these necessary amendments, GSM opposes SB 180 and we ask that you also oppose SB 180. Thank you.



Ed Bartlett

Attorney

Representing Golden Sunlight Mines

ph, 443-6820